

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
NOTICE OF CLERK'S DEFAULT NOT ENTERED**

STYLE OF CASE: UNITED STATES OF AMERICA ex. rel. Tom Proctor v. Next He

CASE NUMBER: 4:17-cv-00169-ALM-KPJ

The clerk cannot enter the default as requested in the above listed case for the following reason(s):

**CLERK'S ENTRY OF DEFAULT**

- ☐ Affidavit not received
- ☐ Defendant is an infant (under age 21)
- ☐ Defendant is an incompetent person
- ☐ Defendant is in the military or was six months prior to filing of the complaint
- ☐ Defendant has answered or filed a responsive pleading
- ☐ Answer or responsive pleading was filed; however, was filed late
- ☐ Defendant was not properly served
- ☐ Time to answer has not expired
- ☐ Defendant is the USA
- ☒ Other - Defendant is pro se

**DEFAULT JUDGMENT**

- ☐ Affidavit not received
- ☐ Defendant is an infant (under age 21)
- ☐ Defendant is an incompetent person
- ☐ Defendant is in the military or was six months prior to filing of the complaint
- ☐ Defendant has answered or filed a responsive pleading
- ☐ Answer or responsive pleading was filed; however, was filed late
- ☐ Defendant was not properly served
- ☐ Time to answer has not expired
- ☐ Defendant is the USA
- ☐ Plaintiff's claim is not for a sum certain
- ☐ Amount due is different in kind or exceeds amount prayed for
- ☐ Does not dispose of all parties in the case
- ☐ Other - \_\_\_\_\_

David A. O'Toole, Clerk

cc: Presiding Judge  
Defendant

Deputy Clerk /s/ Donna Jones